

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NUMBER: 7770-AG11-0329-046

IN THE MATTER OF:

Howard Farber,

Respondent,

243-14 73rd Avenue
Little Neck, NY 11362

License Number 485297

Type of Agency Action: Enforcement

FILED

APR 07 2011

STATE OF INDIANA
DEPT. OF INSURANCE

ADMINISTRATIVE ORDER
NOTICE OF NONRENEWAL OF LICENSE

The Indiana Department of Insurance, pursuant to the Indiana Administrative Orders and Procedures Act, Indiana Code 4-21.5-1 et seq. and the Indiana Insurance Producers Act, Indiana Code 27-1-15.6-12, hereby gives notice to Howard Farber ("Respondent") of the following Administrative Order:

1. Indiana Code 27-1-15.6-12(b) provides that "The commissioner may levy a civil penalty, place an insurance producer on probation, suspend an insurance producer's license, revoke and insurance producer's license for a period of years, permanently revoke an insurance producer's license, or refuse to issue or renew an insurance producer license, or take any combination of these actions ..."

2. Indiana Code 27-1-15.6-12(d) provides that when the Commissioner refuses to renew a license, the Commissioner shall notify the Respondent, in writing, of the reasons for the nonrenewal.

3. Respondent, a resident of New York, holds an Indiana non-resident insurance producer license number 485297.

4. Respondent's Indiana non-resident insurance producer license expires on January 31, 2012.

5. On or about December 17, 2008, the Department received a letter from Matthew Leopold, Agency Management Department, Humana Insurance Company, stating that Howard Farber had been terminated for cause. In the letter, Mr. Leopold stated it had been discovered that Respondent had been convicted of a felony involving moral turpitude.

6. On or about January 15, 2009, a criminal record search was conducted by Department Investigator Mike Herndon through the Accurant Data Base. The search revealed that Respondent had a December 2, 2004 felony conviction for Lewd or Lascivious Conduct, with a victim under sixteen (16) years old, in the State of Florida. Further research found Respondent in the Florida Sexual Offender Registry. On June 30, 2005, Respondent was charged with Sex Offender Failure to Comply with the Law, in Broward County, Florida.

7. On January 5, 2006, Respondent answered "No" to question number 1 on his application for an Indiana non-resident insurance producer license. This question asked whether or not Respondent had ever been convicted of, or was currently charged with, committing a crime.

8. On March 28, 2011, research through NAIC's I-Site data base revealed that Respondent's New York resident producer license expired on December 22, 2010. This site also revealed that Respondent's non-resident producer license was revoked in the states of Colorado, Kansas, Michigan, New Hampshire, Ohio, Pennsylvania, Utah, Virginia, and Vermont. None of

the revocations of non-resident producer license were reported to the Indiana Department of Insurance.

9. Respondent provided incorrect, misleading, and materially untrue information in a license application.

10. Respondent obtained a license through misrepresentation and fraud.

11. Respondent has been convicted of a felony.

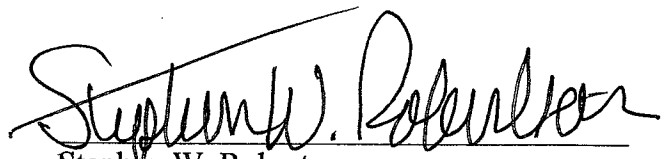
12. Respondent had his insurance producer license revoked in Colorado, Kansas, Michigan, New Hampshire, Ohio, Pennsylvania, Utah, Virginia, and Vermont.

13. Respondent's conduct, alleged herein, is cause for disciplinary action in accordance with Indiana Code §§§§27-1-15.6-12(b)(1), 27-1-15.6-12(b)(3), 27-1-15.6-12(6), and 27-1-15.6-12(9).

WHEREFORE, based on the foregoing, the Commissioner of Insurance hereby notifies Respondent that **Respondent's license shall not be renewed.**

WHEREFORE, the Commissioner further notifies Respondent that pursuant to Indiana Code 27-1-15.6-12(d), within sixty (60) days of receiving this Notice, Respondent may make a written demand upon the Commissioner for a hearing to determine the reasonableness of this action. Such a hearing shall be held within thirty (30) days from the date of receipt of Respondent's written demand.

4-7-11
Date Signed


Stephen W. Robertson
Commissioner
Indiana Department of Insurance

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Howard Farber
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